

*Town of Milton*  
*115 Federal Street*  
*Milton, DE 19968*



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**Milton Town Council Meeting**  
**Milton Library, 121 Union Street**  
**Monday, August 20, 2018**  
**5:00pm Executive Session: 6:30pm Regular Meeting**

Call to Order by Mayor Kanakos at 5:00 PM

Roll Call

Charlie Fleetwood  
Emory West  
Rich Baty  
Mike Cote  
Sam Garde  
Kevin Kelly  
Ted Kanakos

Additions or Corrections to the Agenda - none

Agenda Approval – Motion made by Councilman West to approve the agenda; second by Councilman Garde. Motion carried unanimously.

Executive Session

- a. Strategy sessions, involving legal advice or opinion from an solicitor-at-law, with respect to collective bargaining or pending or potential litigation, when an open meeting would have an adverse effect on the bargaining or litigation position of the public body
- b. Discussion of the content of documents, excluded from the definition of "public record" in § 10002 of this title where such discussion would disclose the contents of such documents
- c. Personnel matters in which the names and abilities of an individual employees are discussed
- d. Preliminary land acquisition

Motion made by ViceMayor Kelly to come out of Executive Session; second by Councilman Garde. Motion carried unanimously.

Motion made by Councilman Garde to enter regular session; second by ViceMayor Kelly. Motion carried unanimously.

**Discussion and vote on Executive Session Items**

Motion made by ViceMayor Kelly to approve agreement made in Executive Session; second by Councilman Garde. Motion carried unanimously.

Mayor: May I have a motion to authorize the Town Solicitor to continue discussions with Counsel with respect to the subject and undertakings discussed in Executive Session. Councilman Garde so moved; second by Councilman West. Motion carried unanimously.

**Moment of Silence****Pledge of Allegiance to the Flag****Public Hearing: Fiscal Year 2019 Annual Budget & Fee Schedule**

Mayor: Asked for comments.

Steve Crawford: Spoke as a representative of the Finance Committee for Town of Milton. Discussed the water meter test bench proposed by Mr. Wingo. The analysis presented to Council assumes that all units are out of warranty. Although not presently but may be in the future.

Motion to close the public hearing. Councilman West made a motion, seconded. All in favor. None opposed.

**Public Participation**

No participation.

**Old Business – Discussion and possible vote on the following items:****a. Annexation Fee Study -**

The presentation was provided in your packet. Current fee is \$400 plus professional fees, plus \$8,000 an acre and \$5,000 in escrow. Recommending \$3,900 application plus the professional fee which is a \$5,000 escrow. Also recommended returning of unused monies from the professional fee cycle. If an annexation comes in and follows all of the requirements and submits the requested information, could be under the \$5,000 escrow. Per the comparison chart, in line with other towns except for the sewer impact fee of \$8,000.

The review was to strictly look at the process and making sure the town's fees are covered. Down the road the next process would be developing a community impact fee which could result in another feasibility study. One acre would not have the same impact as 136 acres to the town. At that point, we would determine if another water tower, well, open space or another police officer is needed.

Councilman Garde requested another review to ensure the proposed fee and process was in line with the Town Charter and Town Code.

Councilman West made a motion to accept this recommendation from KCI and for Ms. Rogers to go forward with it.

Town Solicitor asked for the motion to be clarified. The motion would be that the proposed fee schedule reflect this recommendation. Councilman West agreed. Second by ViceMayor Kelly.

Town Solicitor: At some point you're going to enact a full fee schedule.

Mayor: Do we need a roll call vote on this?

Town Solicitor: It is really an amendment to your proposed fee schedule, so I would say no.

Mayor: We have a motion and seconded. All in favor. None opposed. Motion passed.

#### **b. Fiscal Year 2019 Annual Budget and Fee Schedule**

Kristy Rogers commented that items discussed last month are included in the budget documents in the Council packet. Lead corporation replacement and as explained last month, we applied for USDA grant to work on the planning and preliminary engineering report for Atlantic Ave. and Chestnut St. Notified today that grant was awarded. Analysis by Mr. Wingo ascertained that there are 42 lead corporations for that project. He will continue to work town wide to see how many other lead corporations there are and what type of program to put in place with other streets. The other two items were the wood chipper and the test bench and as council directed, they are in the budget funded from prior year surplus. Page 6 wood chipper, offsetting line item from prior year surplus revenues listed on Page 10.

Councilman West: Move to adopt this budget with the stipulation that we do not accept the chipper and vote on the test bench later.

Councilman Cote': We don't really need to do anything until the next regularly scheduled meeting on September 10<sup>th</sup>. Made motion to table vote until September.

Councilman West: Second.

Mayor: All in favor. Motion passed.

#### **New Business:**

##### **a. Resolution 2018-010 to support Outdoor Recreation, Parks and Trails Grant Application (related to Rails to Trails, Phase II)**

Councilman West made a motion to adopt Resolution 2018-010 to support and approve; second by Councilman Fleetwood.

Mayor: All in favor. Individual vote. Councilman Fleetwood, Councilman West, Councilman Baty, Councilman Garde, Councilman Kelly, Mayor Kanakos all yes votes. Note: Councilman Cote' out of the room.

##### **b. Rails to Trails, Phase II, Construction Agreement and Funding.**

Kristy Rogers presented a draft agreement with the Dept. of Transportation as we just adopted the resolution to support application for a grant, Milton's responsibility is 20% of the construction. The overall project is estimated at \$1M which DelDot will fund \$800,000 so

Milton's responsibility is \$200,000. Senator Lopez has committed \$100,000 to the project out of community transportation so essentially Milton is responsible for another \$100,000 which we are anticipating this grant to come through. The agreement also specifies responsibilities once the trail is built and constructed. The town will have responsibility to maintain, landscape, maintain the asphalt and any sidewalks or ADA compliance. DelDot will still maintain the trestle. There are many components. One area needed to be revised is location. This is just a draft for you to consider.

Mayor: And there are going to be lights along there the whole way?

Kristy Rogers: There's no lighting currently. The cost of lighting will significantly increase the project. But it has been requested conduit installation be considered in the event another grant is received for the lighting. Feasibility study on the cost needs to be completed.

Councilman West: I make a motion to let Mrs. Rogers move ahead with this; second by Councilman Fleetwood.

Town Solicitor: Revised update presented. Instead of between Chestnut and Federal it is now between Federal and Lavinia.

Mayor: All in favor. Motion passed.

**c. Final Land Acquisition**

Nothing to vote on at this time.

Motion to Adjourn – 7:40 PM